

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of: Berthold N. Schmidt et al.

Serial No.: 09/852,994

Filing Date: May 10, 2001

For: HIGH POWER SEMICONDUCTOR LASER

Examiner: Quyen P. Leung

Art Unit: 2828

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed July 2, 2003, finally rejecting claims 1-7, 10 and 14.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

X other than a small entity.

a small entity.

A verified statement

is attached.

was already filed on _____.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

small entity \$165.00

X other than a small entity \$330.00

Notice of Appeal Fee Due \$ 330.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) X Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(3)) for the total number of months checked below:

01/08/2004 MAHMED1 00000068 09852994

01 FC:1401
02 FC:1253

330.00 OP
950.00 OP

Extension
(months)

Fee for other than
small entity

Fee for
small entity

one month

\$ 110.00

\$ 55.00

two months

\$ 420.00

\$210.00

X three months

\$ 950.00

\$475.00

four months

\$1,480.00

\$740.00

Fee \$ 950.00

If additional extension of time is required, please consider this a petition therefor.

___ An extension for ___ months has already been secured.
The fee paid therefor of \$___ is deducted from the total
fee due for the total months of extension now requested.

Extension fee due with this request \$___

OR

(b) ___ Applicant believes that no extension of term is required.
However, this conditional petition is being made to
provide for the possibility that applicant has inadvertently
overlooked the need for a petition and fee for extension
of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 330.00
Extension fee (if any) \$ 950.00

TOTAL FEE DUE \$ 1280.00

5. FEE PAYMENT

X Attached is a check in the sum of \$ 1280.00.
___ Charge Account No. 18-0988 the sum of \$ _____.
(A duplicate of this transmittal is attached.)

6. FEE DEFICIENCY

X If any additional extension and/or fee is required,
charge Account No. 18-0988.
and/or
X If any additional fee for claims is required,
charge Account No. 18-0988.


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By 
Mark D. Saralino
Reg. No. 34,243

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 2, 2004


Mark D. Saralino